

BESTPITCH
35541-090401



ROANOKE CITY COUNCIL
REGULAR SESSION

SEPTEMBER 4, 2001
12:15 P.M.

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. (Council Members Carder and Hudson were absent.)**

A communication from Mayor Ralph K. Smith requesting that Council convene in Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1) , Code of Virginia (1950), as amended.

(Approved 5-0)

File #110-132

A communication from the City Manager requesting a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.1-344(A)(3), Code of Virginia (1950), as amended.

(Approved 5-0)

File #2-132

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED
IN RECESS AT 12:20 P.M. TO BE RECONVENED IMMEDIATELY
IN THE EMERGENCY OPERATIONS CENTER CONFERENCE
ROOM, ROOM 159.**

***JOINT MEETING
CITY COUNCIL/CONGRESSMAN GOODLATTE***

Call to Order: Mayor Smith.

Welcome: Mayor Smith.

Invocation: Council Member Harris.

Lunch

Remarks by Congressman Goodlatte:

Remarks by Council Members:

Update on Passenger Rail Service/Improvements to air and transit service. Mr. Bestpitch.

Discussion Items:

Brownfields. Ms. Burcham.

Deferred Compensation Changes. Ms. Burcham and Mr. Grisso.

Other Business:

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED
IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY
COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR
MUNICIPAL BUILDING.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***SEPTEMBER 4, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call.** (All present - Vice-Mayor Carder arrived at approximately 3:00 p.m.)

The Invocation was delivered by The Reverend Richard Geoghegan, Pastor, Cave Springs United Methodist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, September 6, 2001, at 7:00 p.m., and Saturday, September 8, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

Proclamation declaring September 6 - 8, 2001, as "United Way - Days of Caring".

File #3-167

Proclamation declaring Thursday, September 20, 2001, as Southwest Virginia "Light The Night" Day; and the month of September 2001 as Leukemia & Lymphoma Awareness Month.

File #3

2.

CONSENT AGENDA

(APPROVED 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of the Roanoke City Council held on Monday, August 20, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 A communication from the Honorable Donald S. Caldwell, Commonwealth's Attorney, tendering his resignation as a member of the Roanoke Valley-Allegheny Regional Commission.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #326

- C-3 A communication from the City Manager recommending that a public hearing be advertised for Monday, September 17, 2001, at 7:00 p.m., in connection with granting an easement across City-owned property to CoxCom, Inc., d/b/a Cox Communications Roanoke (Cox Communications), for the purpose of constructing, owning, and operating a communications line.

RECOMMENDED ACTION: Concur in request.

File #28-166-448

- C-4 A communication from the City Manager recommending that a public hearing be advertised for Monday, September 17, 2001, at 7:00 p.m., in connection with the proposed vacation of a public easement on Churchill Drive, N. W.

RECOMMENDED ACTION: Concur in request.

File #28

- C-5 A communication from the City Clerk advising of the resignation of Thomas Pettigrew as a member of the Industrial Development Authority.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #207

- C-6 Qualification of the following persons:

Brian M. Shepard as a member of the Roanoke Valley Greenways Commission for a term ending June 30, 2004.

Barry W. Baird as a member of the Roanoke Valley Greenways Commission for a term ending June 30, 2002.

Herbert D. McBride as a member of the Roanoke Public Library Board for a term ending June 30, 2004.

RECOMMENDED ACTION: Receive and file.

File #15-110-323-379

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from Council Member William D. Bestpitch, City of Roanoke Representative to Virginia's First Regional Industrial Facility Authority, recommending approval of an Agreement for Project Based Financing by Virginia's First Regional Industrial Facility Authority and amendment to the New River Valley Commerce Park Project Participation Agreement.

**Adopted Ordinance No. 35541-090401 and Ordinance No. 35542-090401. (6-0)
File #207-526**

5. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of a bid submitted by Hager Electric, LLC, for ballfield lighting replacement at Huff Lane Park - Fields 1 and 2, Strauss Park, Westside Ballfield - Field 1, Garden City Park, Norwich Park, Jackson Park and Preston Park, in the amount of \$436,281.48; and rejecting all other bids received by the City.

**Adopted Ordinance No. 35543-090401. (6-0)
File #67-472**

Upon completion of the projects, Council Member White requested that the City Manager contact the appropriate neighborhood organizations to brief members on ballfield lighting improvements.

File #67-165-472

2. A communication recommending transfer and appropriation of funds to the Department of Housing and Neighborhood Services for code enhancements.

Adopted Budget Ordinance No. 35544-090401. (6-0)

File #60-178-200-549

3. A communication recommending acceptance of a Local Government Challenge Grant from the Virginia Commission for the Arts, in the amount of \$5,000.00; and appropriation of funds in connection therewith.

Adopted Budget Ordinance No. 35545-090401 and Resolution No. 35546-090401. (6-0)

File #60-236-261-348-349-423

4. A communication recommending acceptance of the bid submitted by Consolidated Industrial Roofing, Inc., in connection with the re-roofing of the Public Works Service Center, in the amount of \$83,750.00; and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35547-090401 and Ordinance No. 35548-090401. (6-0)

File #60-183

5. A communication recommending acceptance of the bid submitted by Merle Callinder, t/a Callinder's General Construction, in connection with the Trevino Drive Storm Drainage Project, in the amount of \$167,901.80, and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35549-090401 and Ordinance No. 35550-090401. (6-0)

File #60-27

6. A communication recommending de-appropriation of \$25,140.00 in connection with the Roanoke Centre for Industry and Technology VDOT Industrial Access Funds.

**Adopted Budget Ordinance No. 35551-090401. (6-0)
File #60-207**

7. A communication recommending execution of a contract with Rosser International, Inc., to provide engineering services for design and development of construction documents and related work for Phase I of the Civic Center Expansion and Renovation Project, in the amount of \$262,500.00; and appropriation of funds in connection therewith.

**Adopted Budget Ordinance No. 35552-090401 (Ordinance No. 35552-090401 was re-introduced after Vice-Mayor Carder arrived at the meeting and adopted as an emergency on a 5-2 vote of Council, Council Member Hudson and Mayor Smith voted no) and Resolution Nos. 35553-090401 (6-0) and 35554-090401 (5-1, Mayor Smith voted no.)
File #53-60-192**

8. A communication recommending adoption of a resolution in support of efforts of the Read Mountain Alliance to preserve Read Mountain.

**Adopted Resolution No. 35555-090401. (6-0.)
File #548**

Mr. Carder entered the meeting at approximately 3:00 p.m.

9. A communication recommending appropriation and transfer of funds in connection with the Capital Maintenance and Equipment Replacement Program.

**Adopted Budget Ordinance No. 35556-090401. (7-0.)
File #60-217-472**

**Council Member Hudson requested a cost breakdown on implementation of the new solid waste collection program.
File #144**

10. A communication recommending appropriation of funds to support strategic technology needs and enhancements.

**Adopted Budget Ordinance No. 35557-090401. (7-0.)
File #60-217-301**

11. A communication in connection with establishing parking rates for the Gainsboro Parking Garage and Gainsboro Surface parking area.

**Adopted Resolution No. 35558-090401. (7-0.)
File #289-432**

12. A communication in connection with roof replacement at Eureka Recreation Center; and transfer of funds in connection therewith.

**Adopted Budget Ordinance No. 35559-090401 and
Ordinance No. 35560-090401. (7-0)
File #60-67**

**Council Member White requested that the City Manager contact representatives of appropriate neighborhood organization(s) with regard to action taken by the City.
File #165**

13. A communication in connection with a Fire and Emergency Medical Services Agreement to cooperatively and jointly co-staff the Roanoke County Clearbrook Station.

**Adopted Ordinance No. 35561-090401. (5-2, Council Members Hudson and Wyatt voted no.)
File #70**

**Council Member Bestpitch called attention to a communication from the Roanoke Firefighters Association with regard to certain issues of concern and requested that the matter be referred to the City Manager to insure that the issues are addressed as a part of the transition team process.
File #70**

b. DIRECTOR OF FINANCE:

1. A financial report for the month of July, 2001.
**Received and filed.
File #1-10**

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35534, on second reading, authorizing an agreement with the City of Salem to provide mutual automatic aid for fire protection services within designated areas; and authorizing notice of termination of the lease for the fire station located at 4810 Salem Turnpike, N. W.

**Adopted Ordinance No. 35534-090401. (4-3, Council Members Harris, Hudson and Wyatt voted no.)
File #70**

- b. A Resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League and designating a Staff Assistant for any meetings of the Urban Section on Tuesday, October 16, 2001, in Virginia Beach, Virginia.

**Adopted Resolution No. 35562-090401. (7-0.)
File #17**

- c. A Resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities on December 8, 2001, in Atlanta, Georgia.

**Adopted Resolution No. 35563-090401. (7-0.)
File #228**

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Harris, Council's liaison member to the Roanoke Redevelopment and Housing Authority, called attention to a joint meeting of Council and the Housing Authority on Thursday, October 18, 2001, at 5:00 p.m., and encouraged the Members of Council to provide him with discussion items for the agenda.
File #132-178**

**The City Manager called attention to a joint meeting of Council and the Board of Zoning Appeals on Monday, September 17, 2001, at 5:00 p.m., and requested that Council Members provide the City Clerk with discussion items for the agenda.
File #51-132**

**The City Attorney and Municipal Auditor were requested to prepare a measure for consideration by Council providing for a comprehensive internal audit of the school system which does not conflict with an opinion of the Attorney General, said audit to be performed by the Municipal Auditing Department, with specifics of the audit to be detailed in a yearly letter of engagement between City Council and the School Board; and that the Chair of the City's Audit Committee be requested to contact the Chair of the School Board's Audit Committee to convene a joint meeting of the two bodies to discuss details of the letter of engagement.
File #132-467**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., addressed Council with regard to numerous issues of concern to the citizens of Roanoke. He called attention to decisions that are made by Council on behalf of taxpayers, and advised that there are legitimate questions that citizens will continue to ask, and City government should be more accountable to its citizens when conducting City business.

File #66-132

Ms. Berniece Meador, 370 Koogler Drive, S. W., called attention to an individual canvassing her neighborhood who allegedly was contracted to photograph all houses and businesses in the Roanoke Valley for inclusion on the Internet. She requested more information on the project and an explanation as to why citizens were not informed.

The Director of Real Estate Valuation met with Ms. Meador following the meeting to address her concerns.

File #66

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., addressed Council with regard to the issue of communication between City Council and the citizens of Roanoke.

File #66-132

The Council meeting was declared in recess for two closed sessions.

CERTIFICATION OF CLOSED SESSION. (7-0)

The following persons were appointed/reappointed:

Mack D. Cooper to the Flood Plain Committee for a term ending June 30, 2002.

File #237

Robert C. Poole to the Roanoke Civic Center Commission for a term ending September 30, 2004.

File #15-192

Edward S. Colonna to the New Construction Code, Board of Appeals, for a term ending September 30, 2006.

File #15-32

Christine C. Proffitt to the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2003.

File #15-488

Ben J. Fink as a Commissioner of the Roanoke Redevelopment and Housing Authority, for a term ending August 31, 2005.

File #15-178